REMARKS

The above amendments and these remarks are responsive to the Office action dated May 17, 2005. In the Office action, the abstract of the disclosure is objected to because of the use of the phrase "comprise" on lines 2-3. In the Office action, claims 1 and 4-14 are rejected under 35 U.S.C. 102 (b) as being anticipated by Lindstedt (U.S. Pat. No. 5,109,668), claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Maeda et al. (U.S. Pat. No. 6,122,911), claims 3 and 6-7 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Maeda et al. in view of Mashiko et al. (U.S. Pat. No. 6,454,622). Applicant thanks the Examiner for the careful consideration of the application. Applicant traverses the rejections, but nevertheless amends the claims as shown above. In view of the amendments above, and the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Abstract of the disclosure

The abstract of the disclosure has been amended to comply with MPEP § 608.01 (b).

Claims 1-3

Amended claim 1 recites an exhaust pipe collecting structure that comprises separate first and second exhaust sub-collecting pipes having first and second exhaust pipe groups, respectively, and first and second joint portions at their downstream end portions which are separably joined to each other by a fastening device, to allow the exhaust gases to be led into a common, i.e., shared or unified, exhaust passage.

According to this claimed construction, the exhaust pipe collecting structure is configured to be formed of separably joined parts, rather than as a monolithic, integral part. This has the potential advantage that the exhaust pipe collecting structure may be more freely configured as compared to monolithic casting, and may be manufactured, assembled, and disassembled more easily.

Regarding the rejection of claim 1 based on Lindstedt, the alleged exhaust pipe collecting structure (marine exhaust assembly) disclosed in Lindstedt has a configuration in which a first exhaust pipe group and a second exhaust pipe group are formed integrally with each other as a single part. Lindstedt fails to disclose joint portions which are separably joined to each other. As a result, the exhaust pipes of the machine exhaust assembly of Lindstedt do not offer the potential advantages of ease of manufacture, manipulation, and assembly of the claimed invention.

Regarding the rejections of claims 1 and 2 based on Maeda and the rejection of claim 3 based on Maeda in view of Mashiko, Applicant notes that Maeda discloses an alleged exhaust pipe collecting structure (exhaust manifold assembly) in which two separate exhaust passages that extend from exhaust ports of multicylinders have semicircular shapes and are merged into one exhaust passage, and an additional manifold assembly in which three exhaust passages, each having a pie-shaped cross section comprising one-third of a circle, are merged into one exhaust passage. The exhaust pipe collecting structure of Maeda has a construction in which a pipe and a flange are welded into one exhaust manifold, and is completely different from the exhaust manifold manufactured by casting of the subject application. Thus, Maeda merely discloses prior art similar to that described in the "description of the related art" of the subject application.

Regarding Mashiko, this reference is cited for the rubber tube 390, and does not disclose the remaining elements recited in claims 3.

For the reasons above, Applicant respectfully submits that neither Lindstedt, nor Maeda, nor the combination of Maeda and Mashiko, discloses or suggests each and every feature recited in amended claim 1, nor dependent claims 2 and 3. Therefore, applicants respectfully submit that these claims are allowable.

Claims 4, 6-7

Amended claim 4 recites an exhaust pipe collecting structure that comprises separate first and second exhaust sub-collecting pipes having first and second exhaust pipe groups, first and second joint portions at their downstream end portions which are arranged in parallel with each other, and a connecting tube located downstream of the first and second joint portions for allowing the exhaust gases to be led into one exhaust passage, and the first and second exhaust sub-collecting pipes and the connecting tube are separably joined by a fastening device.

The exhaust pipe collecting structure of amended claim 4 has the same potential advantages in configuration, manufacture, assembly, and disassembly discussed above with respect to amended claim 1.

Regarding the rejections of claims 4 and 6-7 based on Lindstedt, the exhaust pipe collecting structure disclosed in Lindstedt has a configuration in which the alleged first exhaust pipe group, the alleged second exhaust pipe group, and the alleged connecting tube are formed integral with each other. Therefore, the alleged exhaust pipe groups are less easily configured, manufactured, assembled and disassembled.

Regarding the rejection of claim 4 based on Maeda, and claims 6-7 based on the combination of Maeda with Mashiko, Maeda discloses a construction in which a pipe and a flange are welded into one exhaust manifold, which is completely different from the exhaust manifold manufactured by casting of the subject application, and which is similar to technology discussed in the description of the related art in the subject application. Regarding Mashiko, this reference is cited for the rubber tube 390, and does not disclose the remaining elements recited in claims 6-7.

For the reasons above, Applicant respectfully submits that neither Lindstedt, nor Maeda, nor the combination of Maeda with Mashiko, discloses or suggests each and every feature recited in amended claim 4, nor dependent claims 6 and 7. Thus, applicant believes that these claims are allowable.

Claims 8-11, 13-14

Amended claim 8 recites an exhaust pipe collecting structure comprising an exhaust manifold having an upstream end portion which is connected to the cylinders and including a plurality of exhaust passages corresponding to exhaust ports of the cylinders, respectively; a connecting tube connected to a downstream end of the exhaust manifold, the connecting tube including a plurality of connecting exhaust passages communicating with the plurality of exhaust passages of the exhaust manifold and being merged into a single exhaust passage including the one exhaust passage at a location inside the connecting tube, and at least a downstream end portion of the exhaust manifold includes the exhaust passages which are arranged in two lines and forms an integral tube; and wherein a casting parting plane of the exhaust manifold is provided between the two lines of the exhaust passages. Lindstedt fails to disclose such a

construction. Therefore, Applicant respectfully submits that amended claim 8, as well as dependent claims 9-11 and 13-14 are allowable.

Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicant respectfully requests that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on October 13, 2005.

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Respectfully submitted,

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